

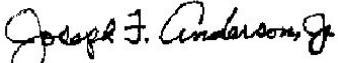
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

William Warren Weyer,) C/A No.: 3:13-cv-1469-JFA
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Plaintiff,)
)
)
vs.) ORDER
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)
Bank of America Corporation,)
)
)
Defendant.)
)

This matter comes before the court on Defendant Bank of America Corporation's Motion to Dismiss for Failure to State a Claim. ECF No. 7. After reviewing the parties' briefs and considering the arguments made at the hearing held on July 31, 2013, this court hereby dismisses Plaintiff's Complaint in its entirety. At the hearing, Plaintiff admitted that he had not met the requirements to trigger his Fair Credit Reporting Act (FCRA) claim, and he further admitted that his South Carolina Unfair Trade Practices (SCUTPA) claim was preempted by the FCRA. The court hereby dismisses the FCRA claim without prejudice and dismisses the SCUTPA claim with prejudice. As to Plaintiff's negligence and libel/slander claims, the court finds those claims to be preempted by the FCRA. Accordingly, the court dismisses those claims with prejudice also.

IT IS SO ORDERED.

August 5, 2013
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge